Criminal Misc. App. No. 911 of 2006

Hon. Prafulla C. Pant, J.

Heard learned counsel for the petitioner.

By means of this petition, moved under Section 482 of Code of Criminal Procedure, 1973 (herein after referred as Cr.P.C.), the petitioner has sought quashing of the proceedings in criminal case No. 1306 of 2006, relating to crime No. 458 of 2006 in respect of the offences punishable under Sections 452, 323, 504, 506 I.P.C. and 3(1) (X) of Schedule Castes Schedule Tribes (Prevention of Attrocities) Act, 1989, P.S. Chamba, District Tehri Garhwal.

The facts, as mentioned in the First Information Report disclose that the complainant is a Medical Officer in Primary Health Centre in Chamba, who was assaulted and insulted by the relatives of a patient. The family members of the Medical Officer were also insulted and assaulted. Wife of Medical Officer, suffered injuries. Applicant is accused in said case, who is facing trial after the charge sheet is submitted by the Investigation Officer.

In the above circumstances, it is not a fit case for quashing of charge sheet or the proceedings of the criminal case. The petition under Section 482 Cr.P.C. is dismissed with the observation that the pleas of innocence of the petitioner, which he has raised before this Court, can be raised before the trial court.

Dt. 18.11.2006 (P.C. Pant, J.)
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